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[*Williams v. Public Service Electric & Gas Co.*](#), 94-ERA-2 (ALJ Apr. 20, 1998)

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U.S. Department of Labor
Office of Administrative Law Judges
800 K Street, N.W.
Washington, D.C. 20001-8002

DATE: April 20, 1998
CASE NO: **94-ERA-2**

In the Matter of:

BERT WILLIAMS
Complainant,

v.

PUBLIC SERVICE ELECTRIC & GAS CO.
Respondent.

ORDER VACATING RECOMMENDED DECISION AND ORDER

The United States Court of Appeals for the Third Circuit, in reviewing the Administrative Review Board's (ARB) decision in this matter, found that the Secretary of Labor lacked jurisdiction to enforce a settlement agreement under the Energy Reorganization Act of 1974 (ERA). On March 17, 1998, the ARB, acting in compliance with the Third Circuit's decision, vacated its January 15, 1997 decision and remanded this matter to the Office of Administrative Law Judges with instructions to vacate Judge Charles P. Rippey's June 13, 1996 Recommended Decision and Order.

Accordingly, it is hereby **ORDERED** that the June 13, 1996 Recommended Decision and Order, which found that Respondent did not breach the settlement agreement as concerns the retirement benefit, be **VACATED**.¹ **SO ORDERED.**

JOHN M. VITTON
Chief Administrative Law Judge

JMV/pmb

[ENDNOTES]

¹Administrative Law Judge Charles P. Rippey is now retired from his position with this Office. Pursuant to 29 C.F.R. § 18.30, I have designated myself to take appropriate action in this matter in accordance with the ARB's Remand Order.